

## REMARKS

The application includes claims 1-49 prior to entering this amendment. The Examiner rejects claims 1-6, 8-10, 28-33, 35-37, 39-44, and 46-48 under 35 U.S.C. § 102(e) as anticipated by Tony, et al. (U.S. Patent Application Publication 20010002912 A1). The Examiner rejects claims 7, 11-27, 34, 38, 45, and 49 under 35 U.S.C. § 103(a) over Tony and Johansson, et al. (U.S. Patent Application Publication 20020044549 A1). Applicants amend claims 1-2, 5-8, 12, 14, 21, 28-29, 32-35, 39, and 43-46. Claims 1-49 remain after entering this amendment. Applicants add no new matter and request reconsideration.

### Claim Rejections Under 35 U.S.C. §102 and §103

The Examiner rejects claims 1-6, 8-10, 28-33, 35-37, 39-44, and 46-48 under 35 U.S.C. § 102(e) as anticipated by Tony. The Examiner rejects claims 7, 11-27, 34, 38, 45, and 49 under 35 U.S.C. § 103(a) over Tony and Johansson. Applicants respectfully traverse the Examiner's rejections.

Claim 1 recites *determining a status of the first device as a master device of the network or a slave device of the network by:*

*broadcasting, from the first device, an information packet over the network, the information packet indicating whether the first device had a prior status as a master device,*

*listening, at the first device, for one or more responses to the information packet from one or more second devices coupled to the network, the one or more responses indicating a current state of the corresponding second devices as either master or slave devices of the network, and a prior status of the corresponding second devices as master devices, and*

*resolving the status of the first device as the master device or slave device of the network based, at least in part, on any responses received from the one or more second devices coupled to the network.* Claims 12, 21, 28, and 39 recite similar features.

The Examiner alleges Tony's unit A discloses the recited first device. Unit A, however, does not determine its status as a master unit of the pico-net or slave unit of the pico-net by broadcasting the recited information packet over the network, by listening for responses to the broadcast information packet, and then resolving the status based on any received responses to the broadcast information packet as the claim requires. See, e.g., Tony, Figure 11, item 1530, Figure 12a, item 2115, Figure 13a, item 5520, and Figure 14, item 4120, and the corresponding

portions of the specification, where Tony summarily states that unit A determines whether it is the master unit of a pico-net. The Examiner further argues that transmissions by Tony's master unit to provide forwarding information to Tony's slave units on the pico-net disclose the recited broadcasting and listening. Applicants would like to point out that these transmissions are made after Tony determines a master (and thus the slaves) on the pico-net, and thus are not made to determine a status of the first device as a master device of the network or a slave device of the network as the claims require. See, e.g., Tony, Figures 11, 12a, 13a, and 14. Tony therefore does not anticipate claims 1, 12, 21, 28, and 31, or their corresponding dependent claims.

Claim 7 recites *comparing the prior status of the first device with the prior status of the one or more second devices received in the response to the information packet when one of the second devices is not currently the master device of the network according to the received responses, and determining the first device is the master device of the network or a slave device of the network according to the comparison of the prior status of the first device with the prior status of the one or more second devices.*

There is no disclosure in Tony comparing a prior status of unit A with a prior status of any other unit on the pico-net, much less determining whether unit A is the master or slave unit based on the comparison of the prior statuses as the claims require. See, e.g., Tony, Figure 11, item 1530, Figure 12a, item 2115, Figure 13a, item 5520, and Figure 14, item 4120, and the corresponding portions of the specification, where Tony summarily determines that unit A is the master or slave unit of a pico-net without any additional disclosure of how that determination is made. As such, the Applicants submit that in addition to the reasons discussed with regard to claim 1, claim 7 is allowable over Tony based on these added features.

Claim 8 recites *wherein the information packet further comprises information regarding a total system-up-time of the first device and the responses indicate information regarding corresponding total system-up-times of the one or more second devices, comparing the total system-up-times of the and the one or more second devices when the master device of the network could not be determined from the comparison prior status of the first device with the prior status of the one or more second devices, and determining the first device is the master device of the network or a slave device of the network according to the comparison of the total system-up-times.* Claims 14 recite similar features.

Applicants and the Examiner appear to be in substantial agreement that Tony does not teach or suggest the recited total system-up-times. The Examiner, however, alleges Johansson's idle node setting an internal timer discloses the recited total system-up-times. Johansson's setting of an internal timer in the idle node is distinctly different than including the recited total system-up-time in both a broadcast over the recited network and in one or more responses to that broadcast as the claims require. Furthermore, there is no disclosure in either reference of comparing the recited total system-up-time with a total system-up-time of any other node on the pico-net and then determining whether the idle node is the master or slave unit based on the comparison of the total system-up-times as the claims require. As such, the Applicants submit that in addition to the reasons discussed with regard to claim 1, claims 8 and 14 is allowable over Tony based on these added features.

### CONCLUSION

For the foregoing reasons, reconsideration and allowance of all claims of the application as amended is requested. The examiner is encouraged to telephone the undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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